

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
GREENVILLE DIVISION**

**IN RE: DONALD LESLEE AYCOCK  
TONYA NINES AYCOCK**

**CHAPTER 13  
CASE NUMBER: 13-03179-8-RDD**

**DEBTORS**

**MOTION TO AMEND PLAN**

NOW COMES the above captioned debtor(s) and shows the court the following:

1. The debtor has filed a Chapter 13 Proceeding.
2. The following circumstances prompt the debtor to propose a change in the plan.

All of debtor's unsecured creditors did not file claims.

3. The debtor's plan was originally confirmed at \$1,850.00 per month for 60 months.
4. The debtor proposes the following plan amendment:

That the new plan be \$1,850.00 per month for 15 months and then \$1,775.00 per month (beginning September, 2014) for 45 months.

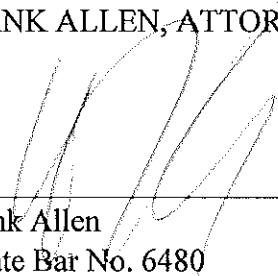
5. The proposed plan amendment would have the following effect on unsecured creditors:

The proposed amendment may have an adverse effect on unsecured creditors.

6. That additional attorney fees of \$350.00 be allowed to H. Frank Allen and the trustee modify the plan as needed to pay the fees.

WHEREFORE, the debtor moves that he be allowed to amend his Chapter 13 Plan as outlined above.

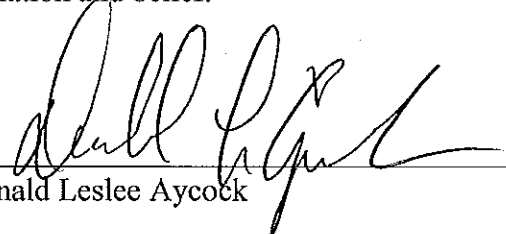
H. FRANK ALLEN, ATTORNEY AT LAW



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H. Frank Allen  
NC State Bar No. 6480  
PO Box 1258  
Tarboro, NC 27886-1258  
(252) 641-1800  
(252) 641-4075 Fax

We, the undersigned, certify under penalty of perjury that the foregoing Motion To Amend Plan is true and correct to the best of our knowledge, information and belief.



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Donald Leslee Aycock



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Tonya Nines Aycock

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
GREENVILLE DIVISION**

**IN RE: DONALD LESLEE AYCOCK  
TONYA NINES AYCOCK**

**CHAPTER 13  
CASE NUMBER: 13-03179-8-RDD**

**DEBTORS**

**AMENDED BUDGET**

Husband:  
Employer: City of Rocky Mount  
Address: Po Box 1180 Rm NC 27802

Circle One: Weekly, <sup>Bi-weekly</sup> ~~Bi-Monthly~~, Monthly  
Gross: 1206.18  
Deductions:  
Federal Tax 77.57  
State Tax 46.00  
FICA 72.32  
Retirement 72.34  
Credit Union 0.00  
Insurance 37.05  
Other: 0.00

Net Pay: 900.90

Any Other Income: None

Wife:  
Employer: Vidant Health  
Address: Po Box 6028 Greenville NC 27835

Circle One: Weekly, <sup>Bi-weekly</sup> ~~Bi-Monthly~~, Monthly  
Gross: 1882.20  
Deductions:  
Federal Tax 152.45  
State Tax 63.00  
FICA 122.56  
Retirement 37.64  
Credit Union 0.00  
Insurance 348.97  
Other: 0.00

Net Pay: 1,157.58

Total Net Income: \$ 4116.96

Estimated future monthly expenses:

1. Rent or Mortgage	\$ <u>0.00</u>
2. Utilities (ELECTRICITY, WATER, HEAT & TELEPHONE)	\$ <u>475.00</u>
3. Food	\$ <u>700.00</u>
4. Clothing	\$ <u>100.00</u>
5. Laundry	\$ <u>65.00</u>
6. Books & School Expenses	\$ <u>75.00</u>
7. Medicines & Drugs	\$ <u>120.00</u>
8. Insurance (NOT DEDUCTED FROM WAGES)	\$ <u>185.00</u>
9. Transportation	\$ <u>450.00</u>
10. Recreation	\$ <u>150.00</u>

11. Child Care Expenses	\$	<u>600.00</u>
12. Dues & Professional Expenses	\$	<u>0.00</u>
13. Alimony & Child Support	\$	<u>0.00</u>
14. Other Costs for Family Support	\$	<u>0.00</u>
15. Taxes	\$	<u>50.00</u>
16. Other Misc. Expenses (Doctor Bills)	\$	<u>140.00</u>

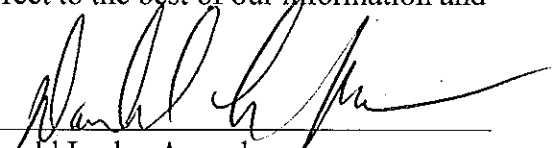
	TOTAL EXPENSES:	\$	<u>310.00</u>
Difference between Income & Expenses		\$	<u>1006.96</u>
Amount of Plan Payment to Trustee		\$	<u>1775.00</u>

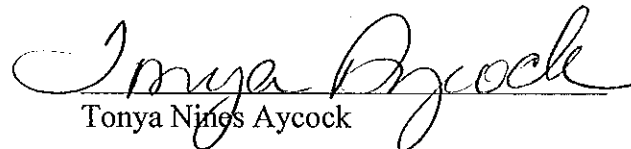
NUMBER, AGE & RELATIONSHIP OF DEPENDENTS (EXCEPT CURRENT SPOUSE)

1 - 11, son 3 - 2, daughter

2 - 4, daughter

We the undersigned certify the foregoing is true and correct to the best of our information and belief.

  
Donald Leslee Aycock

  
Tonya Nines Aycock

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
GREENVILLE DIVISION

IN THE MATTER OF:

DONALD LESLEE AYCOCK  
TONYA NINES AYCOCK

CHAPTER 13  
CASE NUMBER 13-03179-8-RDD

DEBTORS

NOTICE OF MOTION  
AND  
CERTIFICATE OF SERVICE

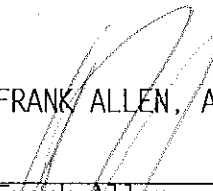
NOTICE IS HEREBY GIVEN of the Motion To Amend Plan filed simultaneously herewith by Herbert Frank Allen in the above captioned case; and

FURTHER NOTICE IS HEREBY GIVEN that this motion may be allowed provided no response and request for a hearing is made by the debtors, trustee or other parties in interest in writing to the Clerk of this Court within 21 days from the date of this notice; and

FURTHER NOTICE IS HEREBY GIVEN that if a response and a request for a hearing is filed by the debtor(s), trustee, or other parties in interest named herein in writing within the time indicated, a hearing will be conducted on the motion and response thereto at a date, time and place to be later set by this Court and all interested parties will be notified accordingly. If no request for a hearing is timely filed, the Court may rule on the motion and response thereto ex parte without further notice.

This the 22 day of August, 2014.

H. FRANK ALLEN, ATTORNEY AT LAW

  
\_\_\_\_\_  
H. Frank Allen  
N.C. State Bar No: 6480  
PO Box 1258  
Tarboro, N.C. 27886-1258  
(252) 641-1800  
(252) 641-4075 fax number

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
GREENVILLE DIVISION

IN THE MATTER OF:

DONALD LESLEE AYCOCK  
TONYA NINES AYCOCK

CHAPTER 13  
CASE NUMBER 13-03179-8-RDD

DEBTORS

CERTIFICATION OF SERVICE

I, H. Frank Allen, Attorney at Law, 118 E. St. James Street, PO Box 1258, Tarboro, NC 27886-1258 certify:

That I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age;

That on the 22 day of August, 2014, I served copies of the foregoing motion and notice of motion on the below indicated person(s) along with creditors on the attached mailing matrix at the respective addresses.

Donald Leslee & Tonya Nines Aycock  
500 Clover Road  
Rocky Mount, NC 27801

Richard M. Stearns  
Chapter 13 Trustee  
1015 Conference Drive  
Greenville, NC 27858

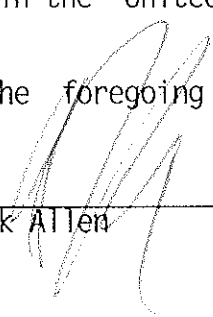
Capital One Bank (USA), N.A.  
ATTN: Officer or Managing Agent  
PO Box 12907  
Norfolk, VA 23541-0907

CERTIFIED MAIL  
RETURNED RECEIPT  
REQUESTED

by depositing a copy thereof, postage prepaid, in the United States Mail addressed to the above listed persons.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on 8-22-14  
Date

  
H. Frank Allen

Label Matrix for local noticing  
0417-8  
Case 13-03179-8-RDD  
Eastern District of North Carolina  
Wilson  
Wed Aug 20 14:59:09 EDT 2014

American InfoSource LP as agent for  
Midland Funding LLC  
PO Box 268941  
Oklahoma City, OK 73126-8941

BANK OF AMERICA  
7501 Corporate Drive  
Plano, TX 75024

(p)BANKRUPTCY ADMINISTRATOR EDNC  
434 FAYETTEVILLE STREET  
SUITE 640  
RALEIGH NC 27601-1888

CAPITAL ONE BANK (USA), N.A.  
PO Box 12907  
Norfolk VA 23541-0907

Carrington Mortgage Services, LLC  
1610 East Saint Andrews Place, Ste B150  
Santa Ana, CA 92705-4931

Childrens Place  
PO Box 6497  
Sioux Falls, SD 57117-6497

Enhanced Recovery Co.  
8014 Bayberry Road  
Jacksonville, FL 32256-7412

GEMB/JC Penny  
Bk Dept.  
PO Box 103104  
Roswell, GA 30076-9104

(p)INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
PO BOX 7346  
PHILADELPHIA PA 19101-7346

H. Frank Allen  
P. O. Box 1258  
Tarboro, NC 27886-1258

Donald Leslee Aycock  
500 Clover Road  
Rocky Mount, NC 27801-8828

BOA/BAC Home Loans  
PO Box 5170  
Simi Valley, CA 93062-5170

Daria Anne Barrett  
Brock and Scott, PLLC  
5121 Parkway Plaza Blvd., Ste. 400  
Charlotten, NC 28217-1965

CAPITAL ONE, NATIONAL ASSOCIATION  
15000 Capital One Drive  
Glen Allen, VA 23238-1119

Carrington Mortgage Services, LLC servicing  
1610 East Andrew Place, Suite B150  
Santa Ana, CA 92705

Christiana Trust c/o Selene Finance LP, as S  
Selene Finance LP, as Servicer  
9990 Richmond Ave., Suite 4005  
Houston, TX 77042-8500

Financial Data Systems  
1638 Military Cutoff Rd S201  
Wilmington, NC 28403-5716

Michelle Ghidotti-Gonsalves  
The Law Offices of Michelle Ghidotti  
5120 E. La Palma Avenue, Suite 206  
Anaheim Hills, CA 92807-2091

Internal Revenue Service  
Central. Insolvency Oper.  
PO Box 7346  
Philadelphia, PA 19101-7346

American Education Service  
1200 N 7th St  
Harrisburg, PA 17102-1419

Tonya Nines Aycock  
500 Clover Road  
Rocky Mount, NC 27801-8828

Bank of America, N.A.  
7105 Corporate Drive  
Plano, TX 75024-4100

Brock & Scott  
5431 Oleander Dr Ste 200  
Wilmington, NC 28403-5857

Carrington Mortgage Loan Trust  
1610 East Saint Andrew Place, Suite B150  
Santa Ana, CA 92705-4931

Chase Receivables  
1247 Broadway  
Sonoma, CA 95476-7503

Credit One  
PO Box 98873  
Las Vegas, NV 89193-8873

First Premier  
BK Dept.  
PO Box 5524  
Sioux Falls, SD 57117-5524

HSBC/ Capital One  
PO Box 81622  
Salinas, CA 93912-1622

Jeremy B Wilkins  
Substitute Trustee  
5431 Oleander Dr S200  
Wilmington, NC 28403-5847

LGFCU  
c/o Lori Barnes  
PO Box 25279  
Raleigh, NC 27611-5279

Midland Credit Mgmt  
8875 Aero Dr S200  
San Diego, CA 92123-2255

Midland Funding  
8875 Aero Dr Ste 200  
San Diego, CA 92123-2255

NC Dept of Revenue  
OSD Bankruptcy Unit  
PO Box 1168  
Raleigh, NC 27602-1168

National Asset Recovery Serv.  
PO Box 701  
Chesterfield, MO 63006-0701

National Collegiate Trust  
Po Box 4941  
Trenton, NJ 08650-4941

PRA Receivables Management LLC  
P O Box 41067  
Norfolk, VA 23541-1067

Physicians East  
Ins., & Billing  
PO Box 30620  
Greenville, NC 27833-0620

(p)PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

Premier Bankcard/ Charter  
P.O. Box 2208  
Vacaville, CA 95696-8208

Randall E Nines  
504 Clover Road  
Rocky Mount, NC 27801-8828

Rjm Acquisitions Llc  
575 Underhill Blvd, Suite 224  
Syosset, NY 11791-4437

SCA  
300 E Arlington Blvd  
Greenville, NC 27858-5043

Santander Consumer  
BK Dept.  
PO Box 560284  
Dallas, TX 75356-0284

Santander Consumer USA  
Po Box 560284  
Dallas, TX 75356-0284

Southern Surgical  
2455 Emerald Dr.  
Greenville, NC 27834-5785

Richard M Stearns  
1015 Conference Drive  
Greenville, NC 27858-5969

Matthew Underwood  
Brock and Scott, PLLC  
5121 Parkway Plaza Blvd.  
Charlotte, NC 28217-1965

Vidant Medical Center  
PO Box 8447  
Greenville, NC 27835-8447

WFDS  
PO Box 29704  
Phoenix, AZ 85038-9704

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Bankruptcy Administrator  
1760-B Parkwood Blvd.  
Wilson, NC 27893

Internal Revenue Service  
Insolvency Support Services  
320 Federal Place, Room 335  
Greensboro, NC 27401

Portfolio Recovery Associates, LLC.  
PO Box 41067  
Norfolk, VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.



(u)Bank of America, N.A.

End of Label Matrix	
Mailable recipients	49
Bypassed recipients	1
Total	50